

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA,	:	Case No.	1:00-CR-00111-1
Plaintiff,	:	(Judge Dlott)	
vs.	:		
GREGORY GALLATIN,	:	<b>DEFENDANT'S MOTION</b>	
Defendant.	:	<b>TO SET HEARING ON</b>	
	:	<b>RESENTENCING</b>	
	:		

Now comes Defendant, Gregory Gallatin, by and through his undersigned counsel, and pursuant to the Orders of the United States Supreme Court and the Sixth Circuit Court of Appeals, hereby moves this Honorable Court to set his case for a re-sentencing at the earliest convenience to this Court.

On July 29, 2002, Gallatin was sentenced to a term of imprisonment of 110 months. Gallatin appealed his sentence and his case was eventually accepted into the United States Supreme Court pursuant to a petition for writ of certiorari.

On January 24, 2005, the United States Supreme Court vacated Gallatin's sentence and remanded the case to the United States Court of Appeals for the Sixth Circuit for further consideration. (See Docket Report Entry # 134)

On March 3, 2005, the Court of Appeals for the Sixth Circuit remanded Gallatin's case to the District Court for resentencing in light of *United States v. Booker*, 543 U.S. \_\_\_, 125 S.Ct. 738 (2005). (See Docket Report Entry # 133)

WHEREFORE, Defendant , Gregory Gallatin, moves this Honorable Court to schedule this matter on its docket for resentencing at its earliest convenience.

Respectfully Submitted,

/s/ Bryan R. Perkins

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BRYAN R. PERKINS (0061871)  
Attorney for Defendant  
119 E. Court Street  
Suite 314  
Cincinnati, Ohio 45202  
(513) 632-5335

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Motion was served upon Kenneth Parker, Esq., Office of U.S. Attorney, Atrium Two, Suite 400, 221 East Fourth Street, Cincinnati, Ohio 45202, on this 22<sup>nd</sup> day of April, 2005, by ordinary U.S. mail.

/s/ Bryan R. Perkins

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Bryan R. Perkins  
Attorney at Law